

CHAPTER 32

WOMEN, PEACE NEGOTIATIONS, AND PEACE AGREEMENTS

Opportunities and Challenges

CHRISTINE BELL

SINCE around 1990, peace processes involving the negotiation of formal peace agreements between the protagonists to conflict have become a predominant way of ending conflict.¹ Since that time, over 800 peace agreements have been negotiated in nearly 100 jurisdictions (Bell 2008). These agreements, which seek to end conflict by setting out a road map for the future, are important documents with significant capacity to affect women's lives. However, a range of obstacles persist for women seeking to influence their design and implementation. These include difficulties gaining access to the talks, as well as achieving material gains for women. This chapter examines these obstacles and the strategies women have used to overcome them, and suggests further ways to build these strategies to advance women's interests and gains from peace processes.

There is no formal definition of a peace process or peace agreement; however, the following definitions operate to define the terms in a broad but coherent way so as to cover agreements produced at different stages of the negotiation process across different conflict types (Bell 2008).

Peace process: an attempt to bring political and/or military elites involved in conflict (defined as having caused more than twenty-five battle-related deaths in one calendar year) to some sort of mutual agreement as to how to end the conflict.²

Peace agreement: documents produced after discussion with some or all of the conflict's protagonists that address military violence involving more than twenty-five battle-related deaths with a view to ending it.

Women have been relatively absent from peace processes and agreements. This absence in turn is translated into peace agreement provisions that largely do not address women's perspectives or concerns. Moreover, it can be difficult to trace where and when

women have been involved in peace negotiations. Research indicates low numbers of women in the delegations of the parties to the conflict and a very low proportion of female negotiators: negotiating teams drawn from politico-military elites are primarily men. Of thirty-three peace negotiations carried out before 2008, only 4 percent—11 out of 280—of negotiators were women; the average participation of women on government negotiating delegations was, at 7 percent, higher than on the delegations of non-state armed groups (Fisas 2008). Out of a representative sample of thirty-one major peace processes between 1992 and 2011, only 4 percent of signatories, 2.4 percent of chief mediators, 3.7 percent of witnesses, and 9 percent of negotiators were women (UN Women 2012). The United Nations appointed its first female head of peacekeeping operations in 1992 (Margaret Anstee, Angola); however, it only appointed its first female UN Chief Mediator in 2013 (Mary Robinson, UNSG Special Envoy to the Great Lakes Region of Africa), and its first woman commander to head a UN peacekeeping force in 2014 (Major General Kristen Lund, Cyprus).

As regards when and how peace agreements include gender-specific clauses—in the narrow sense of clauses that mention women or sexual violence (for a full discussion of what might comprise “a gender perspective” in a peace agreement, see Bell 2015a) provisions, a review (undertaken by the author) in 2015 indicated that, on average, only 18 percent of peace agreements mention women (Bell 2015a). This figure has risen from around 11 percent pre-2000 (and the passing of UN Security Council resolution 1325) to 27 percent after 2000. However, not all of these references were favorable to women (such as provisions providing blanket bans on abortion), indicating that even where women are mentioned, it does not necessarily connote an attempt to address the equality of women (see generally Bell and O’Rourke 2010).

These deficiencies persist, despite the fact that since 2000 there has been a clear international legal framework underwriting the inclusion of women in peace negotiations and peace agreements. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) provides a broad set of provisions that aim at supporting women’s public participation and equality (see Patten, Chapter 13 in this volume). General Recommendation No. 30 (October 18, 2013), on women in conflict prevention and conflict and post-conflict situations, reinforces how CEDAW should impact peace negotiations, the text of peace agreements, and efforts to ensure implementation (CEDAW 2013). resolution 1325 (2000) makes specific provision for a gender perspective to be included in peace negotiations and agreements in paragraph eight, reaffirmed in five subsequent UN Security Council resolutions.³ As a result, the UN Special Representative for Sexual Violence in Conflict has taken an interest in the presence of women in peace negotiations and whether peace agreements refer to sexual violence, and the UN Department of Political Affairs produced “Guidance for Mediators: Addressing Conflict-Related Sexual Violence in Ceasefire and Peace Agreements” (UN Department of Political Affairs 2012). However, lack of progress in ensuring “women’s leadership and participation in conflict resolution and peacebuilding” resulted in UN Security Council resolution 2122 (2013), which committed the UN to “monitoring progress in implementation, and addressing challenges linked to the

lack and quality of information and analysis on . . . the role of women in peacebuilding and the gender dimensions of peace processes and conflict resolution,” and to UN Security Council resolution 2422 (2015), which focuses more generally on the need for better implementation, with repeated calls for support for women’s participation in formal and informal negotiations processes.

To examine the opportunities and challenges of peace processes for women, it can be useful to consider peace processes as loosely developing in three stages, resulting in three different types of agreement (although these are rarely completely distinct in practice): pre-negotiation stage; framework/substantive stage; and implementation/renegotiation stage. Women face particular challenges and opportunities of access and capacity to change pre-set agendas at each of these different stages.

PRE-NEGOTIATION PROCESSES, AGREEMENTS, AND WOMEN

The pre-negotiation stage of a peace process typically revolves around how to get the parties into talks, and in particular who is going to negotiate and with what status. Often pre-negotiation processes and agreements are not inclusive of all the parties to the conflict but involve bilateral agreements between some of the major (usually military) players. For face-to-face or proximity negotiations to take place, each party must be assured that its attempts to engage in dialogue will not be used by the other side to gain military advantage. In order to get everyone to the negotiating table, agreement needs to be reached on matters such as the following: the return of negotiators from exile or their release from prison; safeguards as to future physical integrity and freedom from imprisonment; and limits on how the war is to be waged while negotiations take place, such as through a form of ceasefire—usually temporary and conditional. Pre-negotiation agreements can include mechanisms such as amnesties for negotiators; temporary ceasefire agreements; human rights protections; and monitoring of violations of both ceasefires and of human rights. Pre-negotiation agreements often also typically begin to set the agenda for talks as the parties start to bargain and sound out each other’s positions of substantive issues. Often this takes the form of attempts to set preconditions on the negotiating agenda. Where international mediation takes place while conflict is ongoing, the pre-negotiation process often involves international attempts to suggest settlement terms and gain the parties’ consent by setting out a “best guess” as to what they might agree to.

The start of a formal peace process often holds opportunities for women to be involved. A ceasefire can create a space for the mobilization and the activism of women. Women have a strong interest in some sort of ceasefire being achieved: without it, physical integrity, socioeconomic goods, and justice will not be delivered. Further, early agreements create pathway dependencies, and even ceasefire agreements often begin

to sketch out preliminary agendas for moving forward: if women can impact on pre-negotiation agreements, they can begin to shape the agenda for the substantive talks, and also the future governance structures.

However, challenges in accessing peace processes remain. Women, and civil society more generally, tend to have a very limited participation in pre-negotiation processes due to secrecy and the fact that politico-military elites pursuing violent conflict are predominantly male. Pre-negotiation talks often culminate in some form of ceasefire, sometimes also establishing international involvement in the form of peacekeeping and international ceasefire monitoring, and setting up processes of demobilization, including temporary or partial amnesties. As these are understood as military matters, they perhaps do not appear to mediators as self-evidently important to women.

Yet, for women it is vital that these mechanisms address particular gender equality issues. If, for example, ceasefire provisions do not specify that sexual violence constitutes a ceasefire violation, it will not be prohibited and monitored as such (Jenkins and Goetz 2010). Research has indicated that even where women are present at talks, issues of ongoing sexual or gender-based violence can be difficult for local women to raise, meaning that if a provision prohibiting sexual violence is to emerge, it must often be suggested and pushed for by the mediator (Jenkins and Goetz 2010). Similarly, processes of demobilization also present women with particular difficulties. Women within state and non-state forces may be left vulnerable by their reduction in status and by the modalities of demobilization, unless attention is paid to this possibility. The separating and quartering of forces to particular areas and the introduction of (mostly male) peacekeepers may also create new problems of violence and trafficking (see Vandenberg, Chapter 31 in this volume), unless anticipated and addressed.

However, it is important to note that the idea of a “gender perspective,” as resolution 1325 requires, goes beyond addressing issues of apparent relevance to women. How ceasefire agreements differentiate between civilians and combatants, and the extent to which they make socioeconomic provisions for ex-combatants, while not overtly presenting as “gender” issues, are of particular concern to women, who in all conflicts are overrepresented as “civilians,” and tend to bear the brunt of socioeconomic hardship, with further implications for children. The idea of a “gender perspective” should ideally include a women-centered perspective on all aspects of the ceasefire agreement, rather than a few “gender-specific” clauses.

Finally, pre-negotiation talks inevitably begin to set and circumscribe the agenda for substantive peace agreement issues. While these processes focus on how to get the parties into substantive talks, parties often have to be reassured as to how and whether compromising might benefit them. Therefore, pre-negotiation agreements will often begin a larger process of framing the central issues to be resolved, which begins to mark out the road map toward an ultimate settlement. The exclusion of women at this stage reduces their capacity to frame central issues in ways that continue to limit their influence at the framework negotiation stage. In East Timor, for example, while women were included in the formal negotiation process for the constitution, it has been suggested that the final constitution was based on a 1998 draft document that already had been prepared

by Fretlin, the dominant political party in the country (Haynes, Ní Aoláin, and Cahn 2011, citing Charlesworth 2003). In other words, while women were admitted to the formal constitution-writing process, the agenda had already been set at an earlier stage in which women's access was more limited.

Despite the importance of women's inclusion and international commitments to it, women still face difficulties in accessing formal processes, and they have often had to use a range of tactics to influence them. Sometimes, women have organized outside of the process to try to influence and penetrate it. Women in Colombia and Liberia, for example, organized outside of formal negotiation processes to try to set their own agenda and influence the talks, and in the most recent peace talks in Colombia, this led to the establishment of a Gender Subcommission, tasked with reviewing all documents issued as part of the peace process and ensuring that they contained gender-sensitive language and provisions (see further Herbolzheimer 2016). Some processes have had a gender advisor appointed: for example, the United Nations Development Fund for Women (UNIFEM) appointed a gender advisor to "support the gender sensitivity of the North Ugandan Peace Talks" (UNIFEM job description), and gender advisors have also been supported in other processes, including the Syria peace talks. In Northern Ireland, women formed a Women's Coalition and used a mechanism designed to ensure the participation of small loyalist political groupings to gain access to the talks. In the Sri Lankan talks between the government and the Liberation Tigers of Tamil Eelam (LTTE), a women's committee made up of women appointed by both sides were appointed within the talks process, along with a human rights advisor. In Guatemala and Sierra Leone, parallel civil society talks and modalities of exchange and endorsement operated to try to open up the peace process to wider civic participation in which women were better represented. In all these processes, women's participation influenced the shape of the agreements produced, whether in terms of specific women's issues or wider issues, or both.

FRAMEWORK/SUBSTANTIVE AGREEMENTS

The second stage of a process is where "framework or substantive" agreements are reached in "the talks proper." These agreements tend to be inclusive of all the main groups involved in waging the war by military means. They set out a framework agreement or "road map" for resolving the substantive issues of the dispute. The agreement usually attempts to provide a constitutional power map for the future of the country, sometimes in the form of actual constitutions, and sometimes in constitution-like provisions embedded in the peace agreement itself. These agreements fundamentally restructure political and legal institutions. They also often reaffirm a commitment to nonviolent means for resolving the conflict; acknowledge the status of the parties in the negotiations; and begin to address some of the consequences of the conflict (such as prisoners, emergency legislation, and ongoing human rights violations).

Given the central focus of peace agreements on some sort of constitutional road map, if women can influence these negotiations, they can influence the structures that can enable or prevent their participation in public life for the indefinite future. Involvement at this stage enables women to engage with the totality of how government is structured and limited, and illustrates what the nation's concept of inclusion will be.

A key difficulty at this stage concerns what to ask for: what a "gender perspective" looks like is not self-evident. In deeply divided societies, the most central issue frequently concerns how parties will participate in government and access power. Peace agreement provisions almost routinely provide for political, territorial, and military forms of power-sharing, which institute a compromise between the different contenders to power by dividing that power between those at the heart of the conflict in complex power-sharing models.

Little has been written or researched as to how women's interests can best be protected with regard to power-sharing arrangements. Traditionally, critics of power-sharing have argued that it can be illiberal in giving groups power in ways that can trammel the rights of individuals, for example to have their vote weighted equally.⁴ They have also argued that power-sharing arrangements can reify and entrench the very group identities at the heart of the conflict that the society needs to transcend (O'Leary 2005). Women might be thought to be particularly concerned about these issues (see, e.g., Byrne and McCullagh 2013).

In response, proponents of power-sharing have pointed out that there are different types of power-sharing and that it can include a liberal dimension capable of protecting the rights of groups, such as women, who are outside the main elite "blocs" (O'Leary 2005). Moreover, group rights approaches may have something to offer women. Empirical examination of such arrangements reveals that power-sharing often goes hand in hand with quotas for women, although traditional liberal approaches can find this problematic (Bell 2015b). For example, power-sharing between Hutus and Tutsis in Burundi also included a provision for 30 percent of seats in the legislature to be held by women. Similarly, a peace agreement in Somalia provided that the Transitional National Assembly have at least 12 percent women. In total, six other peace processes between 1990 and 2010 provided for reserved seats or quotas for women in legislative or executive bodies (Bangladesh/Chittagong Hills Tract; Nepal; Papua New Guinea/Bougainville; Philippines/Mindanao; India/Bodoland; Djibouti).

The critical choice for women may therefore be between structures that include "special temporary measures," such as reserve seats and quotas for the inclusion of women in political institutions, and systems that do not. It can be difficult, however, to anticipate how the "technocracy" of a voting system will affect the participation of women in practice. The numbers of women who might be elected, or how quotas for women will be implemented concurrently with other forms of quota, can all be difficult to anticipate without high-level technical advice.

Other dimensions of the governance arrangements may also hold opportunities for gender equality. As part of ensuring equality between identities at the heart of the conflict, peace agreements often provide a new human rights framework, either in the form of specific new rights, or in the form of incorporation of international conventions. Women have often successfully pushed these frameworks to specifically protect

women's rights, and sought references to CEDAW and resolution 1325 within the peace agreement. There is also evidence that inclusion of equality for women can, on occasion, be facilitative of agreement between divided politico-military groups. In Northern Ireland, for example, while police reform to ensure Catholic/Protestant equality was a key issue, equality for women was also pressed as important. Reframing equality issues as about more than the "sectarian" dimension was not only important for women, but it usefully helped to reframe zero-sum debates over police reform between divided politico-military elites by reframing Catholic/Protestant inclusion in terms of a broader commitment for the police to be more representative of the society they were to serve. While commitments to equality for women ensued, ironically perhaps, an opt-out of new European Union equality directives in the areas of race and religion (so as to enable 50/50 recruiting policies for Catholics and Protestants to "fast track" a more representative police service) could not be achieved with respect to women, where EU gender-equality law was more established and prevented similar such quotas for women.

Peace agreements often also provide some mechanism for dealing with the past. This can include provisions for international criminal justice, or domestic-based truth commissions. Here, too, there are gender implications, for example, the specific needs of women as soldiers, refugees, and victims in past-focused processes, the inclusion of gender-specific crimes, whether to include socioeconomic violations as well as civil and political ones (a decision with gender implications), and how to make reparations mechanisms women-friendly. A number of the international standards focus on accountability for sexual violence, and also address the permissibility of amnesty.

In summary, while framework/substantive agreements offer a clear opportunity for women to shape the country's constitutional "blueprint" and allocation of power, this requires access, technical expertise, and some common sense of what women want from this deal. All of these are difficult to achieve.

IMPLEMENTATION/RENEGOTIATION AGREEMENTS

The third category of peace agreements is implementation agreements. These begin to develop aspects of earlier framework agreements. By their nature, implementation agreements involve new negotiations and in practice often see a measure of renegotiation as parties test whether they can claw back concessions made at an earlier stage. Sometimes implementation agreements are not documented, and sometimes agreement takes other forms, such as negotiated legislation or constitutions. If successful, these talks will lead to a formal end to the conflict.

Implementation agreements can take place in a more normalized open environment when there is an established ceasefire. This environment can be conducive to broad public consultation. For example, in Northern Ireland the post-agreement process included

broad consultations on policing, criminal justice, a bill of rights, and dealing with the past. Agreements in Burundi sketched out a large number of processes for resolving difficult issues, which were then to be taken forward by the society in general. Even where women have been excluded in earlier parts of the peace process, there may be post-agreement opportunities for influence and change.

However, here, too, challenges for women remain. First and foremost, peace agreements are very difficult to implement and seldom move a country from conflict in a completely nonviolent and linear way. Women and other civil society actors who have taken political positions during the peace process may find themselves at the receiving end of renewed threats of violence. These actors may be even more vulnerable to targeting than before because of their increased visibility and because new tactics of war emerge that focus on civil society so as not to be seen as breaching a ceasefire. A peace process will also often formally disband activist networks and means of informal socioeconomic cooperation that operated in the conflict, such as grey or black economies, leaving women vulnerable in the event of an agreement's collapse.

Second, new exclusions can emerge. Implementation talks often focus around bringing in intransigent parties who have operated as "spoilers." Sometimes past agreements in which women made gains can essentially be renegotiated in very exclusive bilateral negotiations to appease the spoilers, even when the initial talks were relatively inclusive.

A final implementation challenge is that of the "answered prayer." When peace agreements are implemented, women are faced with multiple reform processes, social and economic reconstruction, and a range of issues in the home, for example, dealing with returning partners and sons, or relocating as displaced persons. While all these may in a sense be welcome as the problems of "success," they nonetheless present a difficulty in sustaining and building gains for women. It can be difficult to have energy to respond coherently to all these challenges at once. Often, too, external funding sources will view the conflict as "over," and funding will be depleted just at the time the new structures need to bed down. Women's organizations—along with other civil society groups—may also find that they were so successful in arguing for the new institutions to include women that they lose their own leadership capacity as women enter formal institutions. Feminist institutional analysis has also shown that new institutions, while carrying great promise, are often nested in a set of old institutions, which can subvert their promise (Mackay 2009; O'Rourke 2013). Unless a long-term approach to implementation is taken, gains can easily be lost during this phase.

TRANSLATING EQUALITY INTO ACTION

Progress along three lines is important if women are to be adequately included in peace processes, and their concerns and ideas for change and gender equality are to be integrated into peace agreements and implemented. First, women must be involved in negotiating, reaching, and implementing the peace agreement, and all mediators need to be aware of how the conflict and the peace process affect women. Second, the substance of the peace agreement must take into account the particular needs of women

and girls and adopt a gender perspective. Third, feminist advocacy must include a long-term commitment to sustaining the efforts for peace long after the peace agreement is signed. However, for the reasons outlined earlier, achieving these steps is not simple. The following matters are crucial to building strategies for change.

Conceptual gendering of peace processes: Finding “pathways in and pathways out”

The exclusion of women from peace process talks and the limited agendas focused on in these talks point to a need to approach peace processes as gendered from the outset. Despite the fact that peace initiatives will often have been promoted throughout a conflict by civil society and in particular by women, it is often only at the stage where the main protagonists to a conflict—the political and military elites who tend to be primarily and often exclusively men—come together in a formal attempt to mediate an end to the conflict that a formal peace process is considered to exist and attracts sustained international support. To put it strongly, the very idea of a “formal peace process” resulting in a “peace agreement” is one that is defined to occur at the very point at which women are excluded.

Reaching agreement between those at the heart of waging the conflict is clearly essential to achieving peace in practice. However, civic peace initiatives that have preceded it will offer a valuable resource to the process and can put ongoing pressure on the formal peace process. Given the conceptual, structural, and issue-based exclusions of formal peace processes and their excessive fragility, it may be useful to think less of when and how women are included in these formal processes, and to think more broadly about “pathways in and pathways out” of peace processes as a central challenge for the sustainability of these processes themselves. It is beyond the scope of this chapter to provide detail as to how this might work in practice, but there is a strong case for robust international support to be given to parallel processes, which can provide not only a space to generate and incubate creative approaches to conflict, but also an ongoing sense of a peace-process-in-action that can sustain the formal peace process through periods of inevitable collapse. In Colombia, women addressed the gender limitations of the formal peace process head-on by acknowledging the importance of government-guerrilla negotiations, but also articulating fifteen elements of “alternative pathways to peace” that created a wider concept of the “peace process” (see Collective Thought and Action on Women, Peace and Security 2014). The critical issue for women is to find mechanisms for exchange between this type of parallel action and the formal peace process.

Understanding the opportunities and limitations for women(-friendly) mediators

There is considerable evidence of the capacity of mediators to influence what issues are included in negotiations and in the text of peace agreements. Where there is a

“gender-friendly” mediator and support for women’s participation, it is reflected in better provisions for women as illustrated by the example of Burundi. The peace process in Burundi saw a range of initiatives aimed at the inclusion of women, including UNIFEM convening an All Party Women’s Peace Conference with two representatives from each of the warring factions and the seven women observers to the process, and involving an “equality-friendly” mediator in the form of Nelson Mandela. The resultant Arusha Peace and Reconciliation Agreement for Burundi, of August 29, 2008, included more than half the recommendations formulated by the All Party Women’s Peace Conference, such as measures on sexual violence and provisions for participation. In the 2005 Constitution, a quota of 30 percent women was provided for the National Assembly. Although ideal, it is very rare to see this level of gender perspective throughout an agreement’s text (see Bell and O’Rourke 2010; Bell 2015a).

While organizations such as the United Nations have committed to the importance of women mediators, often international mediators themselves must compromise on what they see as the just and fair solution to the conflict. Justice concerns—including gender justice—face a pressure to give way to an overriding need to stop conflict-related violence at almost any price (cf. Anonymous 2006). Given the fragility of peace negotiations, mediators are often pushed to conservative approaches with regard to advancing equality for women. Sometimes attempting to insert a gender reference in peace agreements can be seen as a distraction from the efforts of achieving a compromise between political and military elites, understood to be essential to any agreement to stop the violence.

There also may be cultural obstacles to parties using women mediators. Where parties to a conflict perceive a cultural clash with the “other side” on the position of women, whereby they believe that their opponents view women as “inferior” or “weak,” then they may view key roles for women in peace processes as undermining their negotiation strength from the outset (see, e.g., Aharoni 2011; Francis 2004). In such cases, international appeals to appoint women to negotiation teams may not be enough to overcome local reluctance to include them. Even where conflict protagonists do respond positively to international exhortations to include women, where they do not have women at the top of their internal political and military structures, the women they include will not have the same rank and standing within their grouping as the men, or the culture of the group may not be one in which women have an effective voice. Women’s voices may therefore remain marginalized, even when they are formally present: representation does not equate with influence.

Expanding and supporting “gender perspectives” that go beyond “clauses on women”

There is little indication in international standards or in research as to what a “gender perspective” might look like beyond “gender clauses” in a peace agreement. Women often argue for inclusion based not just on capacity to improve awareness of the gendered impact of conflict, but because they feel their experience of conflict brings wider

insights into the business of ending it. Women may have an interest in all aspects of peace agreements, and they have multiple identities that put them on different “sides” of the conflict on key issues. Peace agreement frameworks offer a range of choices not ostensibly to do with gender, which nonetheless have critical consequences for women. As already touched on, these include whether liberal or communitarian constitutional frameworks are adopted, how combatant/non-combatant distinctions are drawn, and whether socioeconomic rights provisions are included. Women in the middle of peace processes need information from other similar processes, technical advice and assistance, and capacity to craft alternative drafts, if they are to be effective. They often also need to build effective alliances with other groups and interests. Armed with such resources, however, the capacity to influence outcomes is often significant.

Engaging with “realpolitik”

Finally, there is a tension between more standard setting and leaving room for negotiations to shape outcomes, which requires further scholarly and practical attention. Negotiations are often fraught, and the many international recommendations to guarantee provision for women are replicated in other areas (which also impact on women), for example, on how to deal with refugees, displaced persons, and “return,” or “amnesty and dealing with the past,” or “non-conflict minorities,” or “children.” If all international standards were faithfully transcribed into peace agreements, the resulting agreements would be very long and would follow a similar blueprint. The more standard clauses are promoted, the less room negotiations and negotiators will have.

There are several reasons that such an approach may not be ideal for the process and for women. First, a trade-off exists between what an ideal agreement looks like and what is achievable and can be implemented in practice. Women have an interest in the conflict ending, and negotiated agreements with all the gender (and other) inequities of their compromises are often better for women than the other options—namely, to let the war continue indefinitely until someone wins, or to use foreign intervention to assist one side in winning. Often, meaningful change in practice will only be possible when parties to the agreement view implementation as in their self-interest. Peace negotiations are not exercises in ideal-type agreement writing on gender or any other terms. They are rather the product of a complex and fragile negotiations process that may or may not produce results. The stakes are genuinely high and mediators have a difficult task. There are no easy criteria for deciding when an imperfect peace is better than a perfect war, when gender or other justice and equality gains have not been achievable.

Second, standard-setting and “lessons learned” often do not capture the complicated business of grappling with the “realpolitik” of peace negotiations. Sometimes gender deficits may arise because no one has thought to gender-proof the provisions, or to make sure women get a chance to provide input. Here international exhortations and monitoring of their implementation, as provided for in the relevant Security Council resolutions, may help change things. However, often exclusions will happen because of

biases such as those discussed earlier: that women are understood to destabilize a party's negotiation strength; that inclusion of any sort of gender or social justice agenda is seen by mediators as belonging to one side in the conflict; or that peace is seen as virtually unobtainable, so that any agenda that is not understood as absolutely vital to obtaining a ceasefire will be excluded. These biases are more likely to be overcome by women engaging with the realpolitik of the situation, than by pushing international mantras. What women lose in ideal-type provisions, they stand to gain in some capacity to achieve implementation of the provisions they do manage to secure. There are, however, few resources to enable women to navigate this terrain. Women must learn from the little documented experiences of women in other peace processes, which, despite different contexts, nonetheless offer a valuable resource to assist in making strategic calculations aimed at creative influence.

NOTES

1. This piece builds on an earlier policy paper, Bell (2013). Ideas in it are also significantly developed in Bell (2015a) and Bell (2015b). The piece is an output of the Political Settlement Research Programme (PSRP, www.politicalsettlements.org), funded by the UK Aid, Department of International Development. The funders have had no role or influence in the content of the piece, which does not reflect their views, but those of the author alone.
2. For definition of conflict, see "Definitions," *Uppsala Conflict Data Programme*, accessed May 27, 2016, <http://www.pcr.uu.se/research/ucdp/definitions/>.
3. UNSC resolution 2242 (2015), while not specifically repeating the resolution 1325 provision on peace agreements, addresses the need for implementation of the resolution, and focuses on women's participation in formal and informal negotiations as part of peace processes.
4. See, for example, *Sejdić and Finci v. Bosnia & Herzegovina*, ECtHR App. Nos. 27996/06 and 34836/06 (2009), in which the ECHR found the disenfranchisement of certain citizens to be a violation of their rights, despite the parties to the Dayton Peace Talks having negotiated this arrangement.

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